

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Petition for Rate Increase)  
in Martin County by SAILFISH POINT)  
UTILITY CORPORATION )

Docket No.: 900816-WS  
Submitted for filing:  
May 28, 1991

UTILITY'S MOTION TO RETAIN  
CUSTOMER HEARING FOR CUSTOMER ISSUES

ORIGINAL  
FILE COPY

COMES NOW, Sailfish Point Utility Corporation, Petitioner for a rate increase in the above styled proceeding, and in support of its Motion states that:

1. The Intervenor, Sailfish Point Property Owners Representatives (SPOR), by its Petition to Intervene with supporting documents, and by its prefiled testimony and exhibits, has sought to interject issues into this proceeding which are beyond the jurisdiction of the Public Service Commission.

2. The public hearing in this proceeding is scheduled for June 26, and customer hearings are set for 10:00 a.m. and 6:00 p.m. on June 26. The final hearing where the Utility is to present its case is scheduled to begin as soon as the 10:00 a.m. customer hearing is completed.

3. The customer hearing is traditionally reserved to give individual customers the opportunity to present testimony about customer service and rate complaints. The prefiled testimony and exhibits by SPOR have nothing to do with the purposes of a customer service hearing.

4. Without waiving any objection or any other right, the Utility has filed its Motion in Limine to Strike Certain Testimony

ACK \_\_\_\_\_  
AFA 2 \_\_\_\_\_  
APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CMJ \_\_\_\_\_  
CTR \_\_\_\_\_  
EAG \_\_\_\_\_  
LEG lw/m \_\_\_\_\_  
LIN 6 \_\_\_\_\_  
OPC \_\_\_\_\_  
RCH \_\_\_\_\_  
SEC 1 \_\_\_\_\_  
WAS \_\_\_\_\_  
OTH \_\_\_\_\_

of Exhibits of Witness Roger W. Rasmusen and has filed its Motion for Order Requiring all Parties to Attend All Preliminary Prehearing Conferences.

5. This Motion to Retain Customer Hearing for Service Issues is filed regardless of the outcome of the Commission rulings on the two aforementioned motions.


WHEREFORE, the Utility hereby seeks an order of the Commission preserving the customer hearing for the receipt of testimony from customers regarding service and rate complaints, and excluding testimony, or the presentation of any matters, on any subject other than customer service and rate complaints, and especially the substance of SPOR's prefiled testimony and exhibits.

Respectfully submitted this 8<sup>th</sup> day of May, 1991.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent to Stephen C. Reilly, Esq.\*, Office of Public Counsel, 111 West Madison Street, 812 Claude Pepper Building, Tallahassee, FL 32399-1400, Wm. Reeves King, Esq.\*, 500 Australian Avenue So., Suite 600, Clearlake Plaza, West Palm Beach, FL 33401, and Catherine Bedell, Esq.\*, Florida Public Service Commission, Division of Legal Services, 101 East Gaines Street, Tallahassee, FL 32399-0873 by U.S. Mail, this 2<sup>nd</sup> day of April, 1991.

\* Served via facsimile

  
Ben E. Girtman  
FL BAR NO.: 186039  
1020 East Lafayette Street  
Suite 207  
Tallahassee, FL 32301  
(904) 656-3232

Attorney for Petitioner  
Sailfish Point Utility Corporation